



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Barry et al.

Serial No.: 10/622,201

Filed: July 18, 2003

For: GLYPHOSATE-TOLERANT 5-  
ENOLPYRUVYLSHIKIMATE-3-  
PHOSPHATE SYNTHASES

Atty. Dkt. No.: 11899.0175.REUS07

**SUBMISSION OF AMENDED SEQUENCE LISTING  
AND STATEMENTS UNDER 37 C.F.R. § 1.821(f) AND (g)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith is a computer readable form and a paper copy of the sequence listing as amended by the Second Preliminary Amendment and Remarks filed concurrently with this paper.

In accordance with 37 C.F.R. § 1.821(f), it is herewith represented that the computer readable form of the sequence listing is the same as the paper copy of the sequence listing. The sequence information provided in the specification, as amended by the Second Preliminary Amendment and Remarks, is also the same as the sequence listing of the enclosed computer readable and paper forms of the sequence listing, which have had the related application data updated and have also been updated to Patent In Version 3.3.

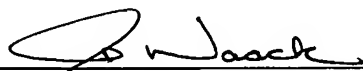
As noted in the Second Preliminary Amendment and Remarks, the amendment to add SEQ ID NO:70 to the sequence listing of the specification is supported by the original disclosure. SEQ ID NO:70 is described in the original specification by SEQ ID NO:3 and the text at page 53, lines 15-16 (or at col. 28, ll. 54-55 of U.S. Patent No. 5,633,435). SEQ ID NO:3 is an amino acid sequence encoding a CP4 EPSPS. The cited portion of the specification states that the CP4 EPSPS gene can be modified such that "[t]he second codon was converted to one for leucine". This change at position 2 is reflected in SEQ ID NO:70. In other words, SEQ ID NO:70 is simply SEQ ID NO:3 with the described change at position 2 to leucine.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter under 35 U.S.C. § 112, first paragraph, is included with this submission.

\* \* \*

Should any fee be required for any reason in connection with this paper, the Commissioner is authorized to deduct said fees from Howrey Simon Arnold & White deposit account No. 01-2508/11899.0175.REUS07.

Date: March 2, 2005



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CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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